

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,<sup>1</sup>

Debtor.

## Chapter 11

Case No. 19-34054 (SGJ)

HIGHLAND CAPITAL MANAGEMENT, L.P.

Plaintiff,

VS.

HIGHLAND CAPITAL MANAGEMENT FUND  
ADVISORS, L.P., NEXPOINT ADVISORS, L.P.,  
HIGHLAND INCOME FUND, NEXPOINT  
STRATEGIC OPPORTUNITIES FUND, NEXPOINT  
CAPITAL INC., AND CLO HOLDCO, LTD.,

Adv. Pro. No. 21-03000 (SGJ)

Defendants.

## CERTIFICATE OF SERVICE

I, Vincent Trang, depose and say that I am employed by Kurtzman Carson Consultants LLC (“KCC”), the claims and noticing agent for the Debtor in the above-captioned case.

On January 9, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit A**:

- **Debtor's Witness and Exhibit List with Respect to Evidentiary Hearing to be Held on January 13, 2021** [Docket No. 13]

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit A**; and via First Class Mail upon the service list attached hereto as **Exhibit B**:

<sup>1</sup> The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

- **Order Granting Plaintiff's Motion for Expedited Hearing on its Emergency Motion for a Temporary Restraining Order and Preliminary Injunction Against Certain Entities Owned and/or Controlled by Mr. James Dondero** [Docket No. 16]

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service lists attached hereto as **Exhibit A** and **Exhibit C**:

- **WebEx Meeting Invitation to participate electronically in the hearing on Wednesday January 13, 2021 at 9:30 a.m. Central Time before the Honorable Stacey G. Jernigan**

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service lists attached hereto as **Exhibit A** and **Exhibit C**; and via First Class Mail upon the service lists attached hereto as **Exhibit B** and **Exhibit D**:

- **Instructions for any counsel and parties who wish to participate in the Hearing** [Attached hereto as **Exhibit E**]

Dated: January 14, 2021

/s/ Vincent Trang  
Vincent Trang  
KCC  
222 N Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

## **EXHIBIT A**

**Exhibit A**

Affected Parties

Served via Electronic Mail

Description	CreditorName	CreditorNoticeName	Email
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	Artoush Varshosaz	artoush.varshosaz@klgates.com
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	James A. Wright III	james.wright@klgates.com
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	Stephen G. Topetzes	stephen.topetzes@klgates.com
Counsel for CLO Holdco, Ltd.	Kane Russell Coleman Logan PC	John J. Kane	jkane@krcl.com
Counsel for CLO Holdco, Ltd.	Myers Bigel P.A.	Grant Scott, Director	gscott@myersbigel.com
Counsel to Official Committee of Unsecured Creditors	Sidley Austin LLP	Matthew Clemente, Alyssa Russell, Elliot A. Bromagen, Dennis M. Twomey	mclemente@sidley.com; alyssa.russell@sidley.com; ebromagen@sidley.com; dtwomey@sidley.com
Counsel to Official Committee of Unsecured Creditors	Sidley Austin LLP	Penny P. Reid, Paige Holden Montgomery, Juliana Hoffman, Chandler M. Rognes	preid@sidley.com; pmontgomery@sidley.com; jhoffman@sidley.com; crognres@sidley.com

## **EXHIBIT B**

**Exhibit B**

Affected Parties

Served via First Class Mail

Description	CreditorName	CreditorNoticeName	Address1	City	State	Zip
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	Artoush Varshosaz	1717 Main Street, Suite 2800	Dallas	TX	75201
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	James A. Wright III	1 Lincoln Street	Boston	MA	02110
Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc.	K&L Gates LLP	Stephen G. Topetzes	1601 K Street, NW	Washington	DC	20006-1600
Counsel for CLO Holdco, Ltd.	Kane Russell Coleman Logan PC	John J. Kane	901 Main Street, Suite 5200	Dallas	TX	75242-1699
Counsel for CLO Holdco, Ltd.	Myers Bigel P.A.	Grant Scott, Director	4140 Park Lake Ave, Ste 600	Raleigh	NC	27612

## **EXHIBIT C**

**Exhibit C**  
Core/2002 Service List  
Served via Electronic Mail

Description	CreditorName	CreditorNoticeName	Email
Counsel for Collin County Tax Assessor/Collector	Abernathy, Roeder, Boyd & Hullett, P.C.	Chad Timmons, Larry R. Boyd, Emily M. Hahn	ctimmons@abernathy-law.com; bankruptcy@abernathy-law.com; ehahn@abernathy-law.com
Counsel for NexBank	Alston & Bird LLP	Jared Slade	jared.slade@alston.com
Counsel for NexBank	Alston & Bird LLP	Jonathan T. Edwards	jonathan.edwards@alston.com
Counsel to Jefferies LLC	Ashby & Geddes, P.A.	William P. Bowden, Esq., Michael D. DeBaecke, Esq.	mdebaecke@ashbygeddes.com
Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees")	Baker & McKenzie LLP	Debra A. Dandeneau	debra.dandeneau@bakermckenzie.com
Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees")	Baker & McKenzie LLP	Michelle Hartmann	michelle.hartmann@bakermckenzie.com
Counsel for NWCC, LLC	Barnes & Thornburg LLP	Thomas G. Haskins, Jr.	jwelton@btlaw.com; lwolford@btlaw.com
Counsel to Acis Capital Management GP LLC and Acis Capital Management, L.P. (collectively, "Acis")	Blank Rome LLP	John E. Lucian, Josef W. Mintz	mintz@blankrome.com; jbilioni@blankrome.com
Counsel to James Dondero	Bonds Ellis Eppich Schafer Jones LLP	D. Michael Lynn, John Y. Bonds, III, Bryan C. Assink	michael.lynn@bondsellis.com; john@bondsellis.com; bryan.assink@bondsellis.com
Counsel to Oracle America, Inc.	Buchalter, A Professional Corporation	Shawn M. Christianson, Esq.	schristianson@buchalter.com
Counsel for UBS Securities LLC and UBS AG, London Branch	Butler Snow LLP	Martin A. Sosland and Candice M. Carson	martin.sosland@butlersnow.com; candice.carson@butlersnow.com
Counsel to Integrated Financial Associates Inc.	Carlyon Cica Chtd.	Candace C. Carlyon, Esq., Tracy M. Osteen, Esq.	ccarlyon@carlyoncica.com; tosteen@carlyoncica.com
Counsel to the Intertrust Entities and the CLO Entities	Chipman, Brown, Cicero & Cole, LLP	Mark L. Desgrosseilliers	desgross@chipmanbrown.com
Creditor	Cole, Schotz, Meisel, Forman & Leonard, P.A.	Michael D. Warner, Esq.	mwarnar@coleschotz.com
Counsel to Siepe LLC	Condon Tobin Sladek Thornton PLLC	J. Seth Moore	smoore@ctstlaw.com
Counsel to Patrick Daugherty ("Mr. Daugherty")	Cross & Simon LLC	Michael L. Vild, Esquire	mvild@crosslaw.com
Counsel to Jefferies LLC	Dentons US LLP	Lauren Macksoud, Esq.	lauren.macksoud@dentons.com
Counsel to Jefferies LLC	Dentons US LLP	Patrick C. Maxcy, Esq.	patrick.maxcy@dentons.com
Secured Creditor	Frontier State Bank	Attn: Steve Elliot	sellott@frontier-ok.com
Counsel to the Redeemer Committee of the Highland Crusader Fund	Frost Brown Todd LLC	Mark A. Platt	mplatt@fbtlaw.com
Counsel to Alvarez & Marsal CRF Management LLC as Investment Manager of the Highland Crusader Funds	Gibson, Dunn & Crutcher LLP	Marshall R. King, Esq., Michael A. Rosenthal, Esq. & Alan Moskowitz, Esq.	mking@gibsondunn.com; mrosenthal@gibsondunn.com; amoskowitz@gibsondunn.com
Counsel to Alvarez & Marsal CRF Management LLC as Investment Manager of the Highland Crusader Funds	Gibson, Dunn & Crutcher LLP	Matthew G. Bouslog, Esq.	mbouslog@gibsondunn.com
Counsel for the Debtor	Hayward & Associates PLLC	Melissa S. Hayward, Zachery Z. Annable	MHayward@HaywardFirm.com; ZAnnable@HaywardFirm.com
Counsel for the Dugaboy Investment Trust and Get Good Trust Equity Holders	Heller, Draper & Horn, L.L.C.	Douglas S. Draper, Leslie A. Collins, Greta M. Brouphy	ddraper@hellerdraper.com; lcollins@hellerdraper.com; gbrouphy@hellerdraper.com
IRS	Hunter Mountain Investment Trust	c/o Rand Advisors LLC	jhonis@RandAdvisors.com
Counsel to Crescent TC Investors, L.P.	Internal Revenue Service	Attn Susanne Larson	SBSE.Insolvency.Balt@irs.gov
Counsel to Jefferies LLC	Jackson Walker L.L.P.	Michael S. Held	mheld@jw.com
Secured Creditor	Jefferies LLC	Director of Compliance	cbianchi@jefferies.com
Secured Creditor	Jefferies LLC	Office of the General Counsel	cbianchi@jefferies.com
Counsel to the Redeemer Committee of the Highland Crusader Fund	Jenner & Block LLP	Marc B. Hankin, Richard Levin	mhankin@jenner.com; rlevin@jenner.com
Counsel for CCS Medical, Inc.	Jones Day	Amanda Rush	asrush@jonesday.com
Counsel to the Issuers (group of 25 separate Cayman issuers of loan)	Jones Walker LLP	Joseph E. Bain, Amy K. Anderson	jbain@joneswalker.com; aanderson@joneswalker.com



**Exhibit C**  
Core/2002 Service List  
Served via Electronic Mail

Description	CreditorName	CreditorNoticeName	Email
Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al	K&L Gates LLP	Artoush Varshosaz	artoush.varshosaz@klgates.com
Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al	K&L Gates LLP	James A. Wright III	james.wright@klgates.com
Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al	K&L Gates LLP	Stephen G. Topetzes	stephen.topetzes@klgates.com
Counsel to CLO Holdco, Ltd.	Kane Russell Coleman Logan PC	John J. Kane	jkane@krcl.com
Counsel for Highland CLO Funding Ltd.	King & Spalding LLP	Paul R. Bessette	pbessette@kslaw.com
Counsel to BET Investments II, L.P.	Kurtzman Steady, LLC	Jeffrey Kurtzman, Esq.	Kurtzman@kurtzmansteady.com
Counsel to UBS Securities LLC and UBS AG London Branch ("UBS")	Latham & Watkins LLP	Asif Attarwala	asif.attarwala@lw.com
Counsel to UBS Securities LLC and UBS AG London Branch ("UBS")	Latham & Watkins LLP	Jeffrey E. Bjork	jeff.bjork@lw.com
Counsel to Coleman County TAD, Kaufman County, Upshur County, Fannin CAD, Tarrant County, Grayson County, Allen ISD, Dallas County, Irving ISD, and Rockwall CAD	Linebarger Goggan Blair & Sampson LLP	Elizabeth Weller, Laurie A. Spindler	dallas.bankruptcy@publicans.com
Counsel for Jack Yang and Brad Borud	Loewinsohn Flegle Deary Simon LLP	Daniel P. Winikka	danw@lfdslaw.com
Creditor	Lynn Pinker Cox & Hurst, L.L.P.	Michael K. Hurst, Esq.	mhurst@lynnllp.com
Equity Holders	Mark K. Okada		mokadadallas@gmail.com
Counsel to the Redeemer Committee of the Highland Crusader Fund	Morris, Nichols, Arsht & Tunnell LLP	Curtis S. Miller, Kevin M. Coen	rdehney@mnat.com; cmiller@mnat.com
Counsel to Meta-e Discovery, LLC	Morrison Cohen LLP	Joseph T. Moldovan, Esq. & Sally Siconolfi, Esq.	bankruptcy@morrisoncohen.com
Bank	NexBank	John Danilowicz	john.holt@nexbankcapital.com
Counsel to California Public Employees' Retirement System ("CalPERS")	Nixon Peabody LLP	Louis J. Cisz, III, Esq.	lcisz@nixonpeabody.com
SEC Headquarters	Office of General Counsel	Securities & Exchange Commission	SECBankruptcy-OGC-ADO@SEC.GOV
US Trustee for Northern District of TX	Office of the United States Trustee	Lisa L. Lambert, Esq	lisa.l.lambert@usdoj.gov
Counsel for the Debtor	Pachulski Stang Ziehl & Jones LLP	John A. Morris and Gregory V. Demo	jmorris@pszjlaw.com; gdemo@pszjlaw.com
Counsel for the Debtor	Pachulski Stang Ziehl & Jones LLP	Maxim B. Litvak	mlitvak@pszjlaw.com
Counsel for the Debtor	Pachulski Stang Ziehl & Jones LLP	Richard M. Pachulski, Jeffrey N. Pomerantz, Ira D. Kharasch, James E. O'Neill	rpachulski@pszjlaw.com; jpomerantz@pszjlaw.com; ikharasch@pszjlaw.com; joneill@pszjlaw.com
Counsel for the Debtor	Pachulski Stang Ziehl & Jones LLP	Richard M. Pachulski, Jeffrey N. Pomerantz, Ira D. Kharasch, James E. O'Neill	rpachulski@pszjlaw.com; jpomerantz@pszjlaw.com; ikharasch@pszjlaw.com; joneill@pszjlaw.com
Pension Benefit Guaranty Corporation ("PBGC")	Pension Benefit Guaranty Corporation	Michael I. Baird	baird.michael@pbgc.gov; efile@pbgc.gov
Counsel to City of Garland, Garland ISD, Wylie ISD	Perdue, Brandon, Fielder, Collins & Mott, L.L.P.	Linda D. Reece	lreece@pbfc.com
Delaware counsel to Alvarez & Marsal CRF Management LLC	Potter Anderson & Corroon LLP	Jeremy W. Ryan, Esq., R. Stephen McNeill, Esq. & D. Ryan Slaugh, Esq.	jryan@potteranderson.com; rmcneill@potteranderson.com; rslaugh@potteranderson.com
Secured Creditor	Prime Brokerage Services	Jefferies LLC	cbianchi@jefferies.com
Counsel to Patrick Daugherty	Spencer Fane LLP	Jason P. Kathman	jkathman@spencerfane.com
Counsel to UBS Securities LLC and UBS AG London Branch ("UBS")	Richards, Layton & Finger PA	Michael J. Merchant, Sarah E. Silveira	merchant@rlf.com; silveira@rlf.com
Counsel to Hunter Mountain Trust	Rochelle McCullough, LLP	E. P. Keiffer	pkeiffer@romclaw.com
Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees")	Ross & Smith, PC	Judith W. Ross, Frances A. Smith, Eric Soderlund	judith.ross@judithwross.com; frances.smith@judithwross.com; eric.soderlund@judithwross.com
Counsel to the Intertrust Entities and the Issuers (group of 25 separate Cayman issuers of loan)	Schulte Roth & Zabel LLP	David J. Karp, James V. Williams III	david.karp@srz.com; jay.williams@srz.com

**Exhibit C**  
Core/2002 Service List  
Served via Electronic Mail

Description	CreditorName	CreditorNoticeName	Email
SEC Regional Office	Securities & Exchange Commission	Andrew Calamari, Regional Director	bankruptcynoticeschr@sec.gov; nyrobankruptcy@sec.gov
SEC Regional Office	Securities & Exchange Commission	Sharon Binger, Regional Director	philadelphia@sec.gov
Counsel to Official Committee of Unsecured Creditors	Sidley Austin LLP	Matthew Clemente, Alyssa Russell, Elliot A. Bromagen	mclemente@sidley.com; alyssa.russell@sidley.com; ebromagen@sidley.com
Counsel to Official Committee of Unsecured Creditors	Sidley Austin LLP	Penny P. Reid, Paige Holden Montgomery, Charles M. Person, Juliana Hoffman	preid@sidley.com; pmontgomery@sidley.com; cpersons@sidley.com; jhoffman@sidley.com
DE Secretary of State	State of Delaware	Division of Corporations - Franchise Tax	dosdoc_bankruptcy@state.de.us
Counsel to the Hunter Mountain Trust ("Hunter")	Sullivan Hazeltine Allinson LLC	William A. Hazeltine, Esq.	whazeltine@sha-llc.com
Equity Holders	The Dugaboy Investment Trust		gscott@myersbigel.com
Equity Holders	The Mark and Pamela Okada Family Trust - Exempt Trust #1		mokadadallas@gmail.com
Equity Holders	The Mark and Pamela Okada Family Trust - Exempt Trust #2		mokadadallas@gmail.com
Counsel to the United States Internal Revenue Service	U.S. Department of Justice, Tax Division	David G. Adams	david.g.adams@usdoj.gov
United States Attorney General	United States Attorney General	U.S. Department of Justice	askdoj@usdoj.gov
Counsel to Acis Capital Management GP LLC and Acis Capital Management, L.P. (collectively, "Acis")	Winstead PC	Rakhee V. Patel, Phillip Lamberson	rpatel@winstead.com; plamberson@winstead.com; achiarrello@winstead.com
Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees")	Winston & Strawn LLP	Attn: David Neier	dneier@winston.com
Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees")	Winston & Strawn LLP	Attn: Katherine A. Preston	kpreston@winston.com
Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees")	Winston & Strawn LLP	Attn: Thomas M. Melsheimer; Natalie L. Arbaugh	tmelsheimer@winston.com; narbaugh@winston.com
Counsel to Official Committee of Unsecured Creditors	Young Conaway Stargatt & Taylor, LLP	Michael R. Nestor, Edmon L. Morton, Sean M. Beach, Esq., Jaclyn C. Weissgerber, Esq.	bankfilings@ycst.com; mnestor@ycst.com; emorton@ycst.com; sbeach@ycst.com; jweissgerber@ycst.com

## **EXHIBIT D**

**Exhibit D**  
Core/2002 Service List  
Served via First Class Mail

Description	CreditorName	CreditorNoticeName	Address1	Address2	Address3	City	State	Zip
Bank	BBVA	Michael Doran	8080 North Central Expressway	Suite 1500		Dallas	TX	75206
IRS	Internal Revenue Service	Centralized Insolvency Operation	PO Box 7346			Philadelphia	PA	19101-7346
Secured Creditor	KeyBank National Association	as Administrative Agent	225 Franklin Street, 18th Floor			Boston	MA	02110
Secured Creditor	KeyBank National Association	as Agent	127 Public Square			Cleveland	OH	44114
Texas Attorney General	Office of the Attorney General	Ken Paxton	300 W. 15th Street			Austin	TX	78701
Attorney General of the United States	Office of the Attorney General		Main Justice Building, Room 5111	10th & Constitution Avenue, N.W.		Washington	DC	20530
US Attorneys Office for Northern District of TX	Office of the United States Attorney	Erin Nealy Cox, Esq	1100 Commerce Street, 3rd Floor			Dallas	TX	75202
TX Comptroller of Public Accounts	State Comptroller of Public Accounts	Revenue Accounting Division-Bankruptcy Section	PO Box 13258			Austin	TX	78711
Equity Holders	Strand Advisors, Inc.		300 Crescent Court	Suite 700		Dallas	TX	75201
TX AG Office	Texas Attorney Generals Office	Bankruptcy-Collections Division	PO Box 12548			Austin	TX	78711-2548
U.S. Department of the Treasury	US Department of the Treasury	Office of General Counsel	1500 Pennsylvania Avenue, NW			Washington	DC	20220
Delaware Division of Revenue	Zillah A. Frampton	Bankruptcy Administrator	Delaware Division of Revenue	Carvel State Office Building, 8th Floor	820 N. French Street	Wilmington	DE	19801

## **EXHIBIT E**

Judge Jernigan - January 13, 2021 at 9:30 a.m.

Hosted by Judge Stacey Jernigan

When it is time to join the meeting, click the link below:

<https://us-courts.webex.com/us-courts/j.php?MTID=m99214ec1f81b85f1c20c2714d608dd16>

Wednesday, Jan 13, 2021 9:30 am | 9 hours | (UTC-06:00) Central Time (US & Canada)

Meeting number: 180 733 7420

Password: bankruptcy

Join by phone

1-650-479-3207 Call-in toll number (US/Canada)

Access code: 180 733 7420

21-3000 Highland Capital Management, L.P. v. Highland Capital Management Fund Advisors, L.P. et

Emergency motion for TRO

### **CONNECTION INSTRUCTIONS FOR PARTICIPATING IN A WEBEX VIRTUAL HEARING**

The court will allow participation in a virtual hearing using either of the following two methods. Please connect at least 10 minutes prior to the hearing time. It is recommended that attorneys discuss the logistics of the WebEx appearance with their clients/witnesses at least 48 hours before the hearing.

#### **Option 1: Using the WebEx app on your smartphone, tablet, laptop, or desktop.**

It is strongly preferred that participants who may speak during a hearing use the WebEx application rather than using the "call-in" option described in Option 2.

Witnesses and attorneys who anticipate giving extensive legal argument or conducting examination are required to utilize the video function. The court may consider special requests for other appearance options on a case by case basis.

Please connect using only one device. Using two or more devices may cause audio feedback issues.

If using a phone or tablet for video, it should be set in a stationary position. Holding a phone or tablet in your hand while speaking does not yield a good video for the court.

**NOTE: If you are experiencing audio issues when using the WebEx application,** you may use the "Call Me At" selection under "Audio Connection" to move just the audio portion of the WebEx conference to your telephone.

#### **Option 2: Call-in via phone (audio only).**

The meeting number/access code changes with each meeting and will be made available, along with the dial-in number on the WebEx link and instructions sheet found on the judge's webpage and/or on the ECF docket for the case.

### **HELPFUL HINTS AND ETIQUETTE**

- A. Please use the mute function when you are not speaking. Please be aware that sometimes the court mutes everyone when there is background noise. When you want to speak, make sure you are not on mute. Call-in users should dial \*6 to unmute your line.
- B. Remember to state your name for the record each time before speaking and speak slowly and clearly so the court can get a good record.
- C. Use headphones whenever possible, especially if using a desktop PC with external speakers. We have found that newer iPhones provide the best visual and audio feed – better than most desktop computers. If you are on a personal computer, headphones or earbuds are required for those who need to speak during the hearing.
- D. During examination, attorneys and witnesses should use a separate camera and microphone when possible. To avoid feedback, parties using separate devices must not be in the same room. The court may consider special requests on a case by case basis.
- E. WebEx participants may use the "share" button to easily share their screen or document with the court or other WebEx participants. Press "stop sharing" to remove the presentation from the meeting.
- F. When making an appearance from a vehicle, please park in a safe location with windows rolled up (to minimize background distraction and noise) and use a headset that is ear-to-phone (not the vehicle's hands-free speaker-phone option).
- G. Suggestions for those participating in a WebEx hearing from home: If you are having connectivity problems, turn off devices that may be using bandwidth on your home network. Devices or applications such as Facetime, Roku, streaming media players, video games, or large downloads can negatively impact the audio and video quality of the WebEx meeting.
- H. Participants are reminded that they should wear attire suitable for court.
- I. Participants who wish to test their WebEx connection or the share screen functionality in advance of the hearing may arrange a "practice run" by contacting the courtroom deputy.

### **EXHIBITS AND DEMONSTRATIVE AIDS**

Exhibits should be filed ahead of time by the date that they would normally be exchanged pursuant to our local rules using the "notice" or "list (witness/exhibit/generic)" event in ECF. For voluminous exhibits, please contact the courtroom deputy, as it may be necessary for you to provide the court with an exhibit notebook or zip file in advance of the hearing.

Demonstrative aids and Power Points should also be filed prior to the hearing, if possible. If not, WebEx has the ability to allow you to share your screen, or a particular document, with everyone in the hearing. If these documents are admitted as exhibits, they would then have to be filed after the hearing.

During the hearing, lawyers can refer to (and offer) their exhibits by referencing the exhibit's docket number for the court and all to access. After the hearing, the court will create a Minute Entry reflecting which exhibits were admitted. You should consider emailing exhibits to witnesses ahead of time since they may not have access to PACER.